

1869-002 Chancery Causes: James A. Larmer vs. Andrew Hamilton & Lee Co.

Wilson, Fayette

-Deed

CA - Debt  
T - Property



To the Worshipful County Court of Lee  
County Virginia, in chancery sitting, the Bill of Com-  
-plaint of James A. Larner, respectfully sheweth:

That on the 8<sup>th</sup> day of November 1860,  
one Andrew Hamilton, being indebted to your orator,  
executed and delivered to your orator, his the said  
Andrew's certain writing obligatory, sealed with his  
seal, signed with his signature, and dated the day  
and year aforesaid - by which said writing ob-  
-ligatory the said Andrew bound himself to pay  
the said plaintiff by the first day of January 1861, the  
sum of one hundred dollars for value received -  
which said sum together with all interest thereon,  
(except the sum of \$41.20 paid the day of 186 )  
is now due and payable and wholly unpaid to your  
orator, the plaintiff.

The said Andrew Hamilton is not a resi-  
-dent of this Commonwealth; and has no effects  
therein that your orator knows of, except an un-  
-divided interest in a tract of land, situate in  
said County of Lee; and which interest was ves-  
-ted in him in the manner hereinafter stated.  
One James P. Hamilton, late the owner in fee simple  
of said land, on the 20 day of February 1856, by  
his certain deed of that date, sealed and sub-  
-scribed by him, conveyed the said land by meter  
and bounds to his mother Jane Hamilton, then  
living and the wife of Alexander Hamilton, but  
now deceased, for and during the term of her  
natural life, with a remainder in fee simple to  
the heirs (as a class) of the said Jane, to take in  
possession at her death. An attested office copy of  
the said deed, which was duly recorded in the  
County Court Clerk's office of said County, is here-  
-with filed, (marked "B") as a part of this Bill.

The said Jane Hamilton hath recently  
departed this life, whereby her life estate in the said land



determined; and the estate in remainder of her heirs  
hereinafter named became and from thence hitherto has  
been and still is an estate in fee simple in possession  
held by them in <sup>parenage</sup> ~~joint tenancy~~. The said Jane had,  
at her death, the following living children and heirs-  
at-law, to-wit: the said Andrew Hamilton and James  
P. Hamilton, and also John C. Hamilton, Wilson Hamil-  
-ton, Daniel Hamilton, Walter P. Hamilton, Fayette Hamilton,  
Elizabeth Hamilton, Sally Hamilton, and Margaret Ham-  
-ilton. The said John C., Wilson, and Andrew Hamilton  
are not residents of this Commonwealth; and the said  
Walter P., Fayette, and Sally Hamilton are infants under  
twenty one years of age, for whom a guardian ad  
litem will have to be appointed.

Your orator being without adequate remedy  
at law, and relievable in equity, his prayer there-  
-fore is that the said Andrew Hamilton, James P. Ham-  
-ilton, John C. Hamilton, Wilson Hamilton, Daniel Ham-  
-ilton, Walter P. Hamilton, Fayette Hamilton, Elizabeth  
Hamilton, Sally Hamilton, and Margaret Hamilton be  
each and all made parties defendant to this Bill, and  
be required to answer the same fully on oath; that  
an order of publication be made as to the said non-  
-resident defendants; and that a guardian ad litem  
be appointed for the said infant defendants, to as-  
-sist them in their defense to this suit. He also  
prays that the undivided interest of the said Andrew  
Hamilton in the said tract of land be attached by  
process of foreign attachment in this case; that he  
have a decree against the said Andrew for his  
said debt, interest and costs; and that the said  
Andrew's interest in the said land, or so much thereof  
as may be necessary for the purpose be sold to satisfy  
the same. He prays for all general and special  
relief suited to his case, and for all necessary pro-  
-cess &c. &c.

Rose p. gr.



Chd. 63

1868. Decr. Continued  
1869. Jan. Continued  
Feb. Final Decree.

C 13. 41  
a 5.00  
s 5.50  
C & S. 5.00  
Pr. 5.00  
33.91

Rose

James A. Larmer

vs. 3 Bill in Chy.  
3

Andrew Hamilton et al.  
Exhibits filed.

1867. Nov. Bill filed, Sum. Execut. as to  
facts, attachment, lien and  
Decree nisi vs. home Dfts. and  
Order Publication vs. non Resident Dfts.  
Decr. Decree nisi as to some Dfts  
Jan. Continued for C. Publication  
Feb. Ord. Pub. complete & Decree nisi  
as to non Resident defendants  
March Decree nisi complete as to some  
& leave set for hearing by Ref.  
March Sum. H. F. Morgan of facts  
Execution solution for Dfts. Dfts.  
and leave granted by Ref. in case  
as to some Dfts. accordingly filed.  
March Decree for Publication  
June - Rule vs. Commissioners  
Aug. J. P. Case substituted in room  
of C. Bailey & Co.  
Sept. Continued  
Oct. Decree of Substitution  
Nov. Decree for sale of land & facts.



\$100 By the first of January next  
I promise to pay J. C. Larmer, one hundred  
dollars for value received of him this  
the 8 of November 1865, witness my  
hand and

Teste

J H Binding

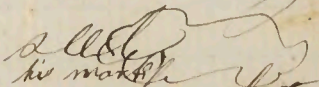
  
his mark  
Andrew Hamblin

Exhibit "A"

Credit within  
January 1 1861  
made N. 20. By  
T. J. Larmer,



To the Worshipful County Court of Lee County in Chancery  
Sitting: - The answer of Walter P. Hamilton, Fayette  
Hamilton, and Sallie Hamilton, infant Children  
of Alexander Hamilton, by Henry J. Morgan, their  
Guardian ad litem, to a bill filed in this Worshipful  
Court by James A. Larmer against Andrew Ham-  
ilton, these wards and others.

Saving and reserving to himself the bene-  
fit of all legal and proper exceptions to said  
Bill for answer thereto this respondent says, That  
so far as he knows or is informed he has no  
matter to allege which could or ought to prevent  
the plaintiff from recovering against the defendant  
Andrew Hamilton the sum mentioned in the writing  
obligatory filed by the Plaintiff with his Bill as ex-  
hibit (A) subject to the ~~credits~~ <sup>credits</sup> thereon endorsed, nor  
does he know of any cause why he should gain-  
say the plaintiff's right to have the lands in the  
Bill mentioned partitioned among the parties or  
at least so far as to ascertain the defendants,  
(Andrew Hamilton's) interest therein.

This respondent places in the hands of your  
Worships the interest of his said Wards, Courts of  
Equity being the peculiar and special Guardian of  
Infants of young and tender years, such as these.  
And now having answered as far as is deemed  
material this respondent prays that his said Wards  
may be dismissed hence with costs.

Henry J. Morgan - Guardian  
ad litem of Said Defts.  
Sworn to and subscribed before me this day of

1868.

J.P.



Henry J. Morgan  
Guardian ad litem

ads 3 Answer  
3  
James A. Larmer.

Fee for this Answer is \$5.00  
ch to Pff



This day this cause came on again to be heard upon the papers formerly read in the cause, and the report of P. Hagan, who was appointed, a commissioner in said cause, at a former term of this Court and was argued by counsel. But it appearing to the Court, <sup>by said report</sup> that the land in the bill mentioned, had been duly advertised and exposed to sale at the front door of the Court-House, on the 21<sup>st</sup> day of December 1868; And Thomas J. Larmer, becoming the purchaser, at the price of \$27.00. who to gether with James A. Larmer and his co-venturer entered into bond, payable six-months after date, with interest from date,

On consideration whereof it is adjudged ordered and decreed that the said bill and report be confirmed. And it is further ordered that P. Hagan former, commissioner in this cause be and he is hereby appointed a commissioner in this cause, to collect the said purchase money when the same falls due, and that he first pay the costs of this suit, after retaining 5 percent for collection, and then pay over <sup>the</sup> residue if any to the plaintiff in this suit. After which the said commissioner, will execute



To Thomas J. Farmer on his heirs, a deed with  
specie warrant <sup>conveying said land or sold</sup> properly acknowledge, and  
place the same in the clerk's office, for record  
ation, and of for his services in this after  
paying the stamp tax, he is allowed to retain  
out of the purchase money \$200. And that  
no further action being necessary, the cause is  
continued strike from the docket.

Jos. J. Farmer

vs. { decree  
      { final

And Hammett

OR 389.



James A. Larmer, Plaintiff, 2  
in 1 In Chancery.  
Andrew Hamilton & others, Defts 3

This cause came on this the 18 day of March 1868 to be heard upon the Bill of Complaint and exhibits thereto on file and the answer of Henry J. Morgan, guardian ad litem for the infant defendants Walter P. Hamilton, Fayette Hamilton and Sally Hamilton, and was argued by Counsel. — On consideration whereof it doth appear to the Court that ~~the~~ ~~defendant~~ ~~cause~~ ~~has~~ ~~been~~ ~~served~~ a summons to answer plaintiffs Bill has been executed on James P. Hamilton, Daniel Hamilton, Elizabeth Hamilton, Sally Hamilton, and Margaret Hamilton more than two months before the present term of the Court; and that an order of publication has been duly posted, published and completed as to the non-resident defendant, John C. Hamilton, Wilson Hamilton and Andrew Hamilton; and that this cause has been regularly matured at rules by decree nisi, judgment pro confesso, and has been set for hearing — the Court doth therefore order, adjudge and decree that the plaintiff recover of the defendant Andrew Hamilton the sum of \$100.00 with interest thereon from the 1st day of January 1861 till paid, subject to a credit of \$41.20 paid the said 1st day of January 1861, and the costs of this suit. And it further appearing to the Court that the defendant Andrew Hamilton, by the recent decease of his mother, became



seised in fee simple of the one undivided tenth part of  
a tract of land in Lee County, whereof the other de-  
fendants are also seised, each of an undivided  
tenth part, as tenants in parcenary; and C. C. Bell  
deputy for James W. Orr, Sheriff of Lee County, having,  
by virtue of an order endorsed on the said original  
summons, <sup>issued</sup> by the Clerk of this Court, attached the said  
undivided interest that the said defendant Andrew  
Hamilton has in and to the said tract of land,  
in the proceedings mentioned - the Court doth therefore  
order, adjudge and decree that the lien of the said  
attachment, <sup>on the said undivided interest of the said Andrew,</sup> shall be a valid and subsisting lien  
from the date thereof, to-wit, from the 31st day of  
October (at 9 o'clock A.M.) 1867. And the Court ~~doth~~  
~~for the order, adjudge and decree that,~~ being of ~~of~~  
opinion that an assignment in severalty to the  
said Andrew of his interest in the said land  
is necessary and proper before any decree or  
order for a sale should be made, doth further  
order, adjudge and decree that the Surveyor  
of this County Carr Bailey and George Law-  
son and James M. Kenable be and they are hereby  
appointed Commissioners and directed, <sup>to</sup> go upon  
the lands in the proceedings mentioned and  
lay off and assign to defendant Andrew  
Hamilton his ~~(the one tenth)~~ <sup>that of</sup> part, quantity,  
~~quality, and value~~ <sup>relatively</sup> considered  
the said Andrew's part thereof, (which is the  
one tenth) Taking into consideration quantity,



quality and value. And the said Commissioners  
are authorized to make any surveys that  
may be necessary to arrive at a just  
assignment to the said Andrus; and they  
will make report to some future term of  
this Court. And the Cause is Continued,



James A. Larmer  
at  $\frac{1}{3}$  Secrecy.  
Andrew Hamilton & others

O.B. 177



James A. Farmer pl. ff.  
Against

Andrew, Hamilton <sup>et al</sup> defendants

In Chq.

This cause came on this day again to be heard upon the papers formerly read in the cause; and upon the report of J. P. Cox, D. A. Brainer, and James B. Stampers, Commissioners appointed by a former decree in this cause, to make partition of <sup>the</sup> land in the bill mentioned and assign defendant Andrew Hamilton his share <sup>of lands of said Hamilton deceased</sup> separate, by which report it appears that the interest of defendant Andrew Hamilton in the lands in the bill mentioned has been laid off and assigned, to him, by metes and bounds, therein set forth; and the same is confirmed; and was argued by counsel.

On consideration whereof it is adjudged ordered and decreed, that Patrick Reagan, be appointed a Commissioner, in said cause whose duty it shall be, after entering bond with approved security for the performance of his duty as such to sell, upon six months time the land allotted to the defendant Andrew Hamilton, by the report of the said Commissioners or so much thereof as may be necessary to satisfy plaintiff's claim & costs of suit and of this sale, to the highest bidder by public outcry at the front door of the Court House of Que county, on some Court day, first published due notice thereof <sup>for one month</sup> posted on the front door of the Court House, and at least, one place in the neighborhood, where the land lies, taking bond <sup>from the purchaser with approved security</sup> payable to himself, as Commissioner as afore said, payable six months after date bearing interest from date



And after having made sale thereof as aforesaid  
he collect, and pay over, to the plaintiff, out  
of the proceeds of sale, the amount of his  
claim, and costs of suit; after first  
satisfying the costs of this sale and  
the cause is continued.

James A. Farmer

vs D. Leane.

Andrew Samuels et al  
November 1 1868.

v.B. 339-



Virginia.

At a Court of Quarter Sessions continued and held  
for Lee County, at the Court House thereof, on Wednesday  
the 18th day of March 1868.

James A. Larmer

Plaintiff

against

Andrew Hamilton et als.

Defendants

In Chancery.

This cause came on this, the 18th, day of March 1868 to be  
heard upon the Bill of Complaint and exhibits thereon file, and the  
answer of Henry J. Morgan, Guardian ad litem for the infant defend-  
ants Walter P. Hamilton, Fayette Hamilton, and Sally Hamilton,  
and was argued by Counsel. On consideration thereof it doth ap-  
pear to the Court that a summons to answer Plaintiff's Bill  
has been executed upon James P. Hamilton, Daniel Hamilton,  
Elizabeth Hamilton, Sally Hamilton, and Margaret Hamilton  
more than two months before the present term of the Court;  
and that an order of Publication has been duly posted, publish-  
ed, and completed as to the non-resident defendants John  
C. Hamilton, Wilson Hamilton, and Andrew Hamilton;  
and that this cause has been regularly at Rules by Decree  
 nisi, judgment pro confesso, and has been set for hear-  
ing. The Court doth therefore order, adjudge, and decree  
that the plaintiff recover of the defendant Andrew Hamilton the sum  
of \$100.<sup>00</sup> with interest thereon from the 1st day of January 1861 till  
paid - subject to a credit of \$41.20 paid the 1st day of January 1861 -  
and the costs of this suit. And it further appearing to the Court  
that the defendant Andrew Hamilton by the recent decease of his mother  
or became seised in fee simple of the one undivided tenth part  
of a tract of land in Lee County, whereof the other defendants  
are also seised, each of an undivided tenth part, as tenants  
in parcenary; and C. C. Bell, Deputy for James W. Orr, Sheriff  
of Lee County, having, by virtue of an order endorsed on the  
said original summons issued by the Clerk of this Court,  
attached the said undivided interest that the said Andrew



Hamilton has in and to the said tract of land in the proceedings mentioned, the Court doth therefore order, adjudge, and decree that the lien of the said attachment on the said undivided interest of the said Andrew shall be a valid and subsisting lien from the date thereof to wit: from the 31st day of October (at 9 o'clock a.m.) 1867. And the Court, being of opinion that an assignment in severalty to the said Andrew of his interest in the said land is necessary and proper before any decree or order for a sale should be made, doth further order, adjudge, and decree that the Surveyor of this County Carr Bailey, George Lawson, and James M. Venable be and they are hereby appointed Commissioners and directed to go upon the lands in the proceedings mentioned and lay off and assign to Andrew Hamilton his - the said Andrew's - part thereof (which is the one tenth) taking into consideration quantity, quality, and value. And the said Commissioners are authorized to make any surveys that may be necessary to arrive at a just assignment to the said Andrew; and they will make return to some future term of this Court. And the Cause is continued.

A copy -

Teste Henry J. Morgan Clerk



James A. Larmer

vs } Copy of Decree

Andrew Hamilton et al

Executed on Carr Bailey & James  
McTearle by delivering to each  
of them an attested office copy  
of the within Decree.

Executed on George Lanson by  
sending him an attested office copy  
of the within Decree by James  
McTearle. April 1868

J. H. Orr, S. C. C.



James A Lamm

vs

Andrew Hamilton et al

pM

Defto

In ch

The commissioners heretofore appointed in this cause having failed to act on consideration whereof and for reasons appearing to the Court it is adjudged ordered and decreed that James M Stampen <sup>Brocken</sup> Lian and L P Cox be and they are hereby appointed commissioners in the room and stead of the former commissioners Geo. Bailey James M Vinoble & George Lanson and do all which the former commissioners were directed to do. And report to this Court and the cause is continued.



Jas. A. Linn

vs. { Secre of  
Substitution

Andrew Hamilton et al.

Order Book 324



Virginia,

At a Court of Quarter-Sessions continued and held  
for Lee County, at the Court House thereof, on Saturday,  
the 22nd day of August 1868.

James A. Garmet - - - - - Plff

against

Alexander Hamilton et al. - - - - - Defts

In Chancery

On the motion of the Plaintiff, who suggests that Carr  
Bailey - one of the Commissioners heretofore appointed by a decree  
of this Court to aid in making partition of the land in the Bill  
mentioned - is unable, on account of sickness, to perform the  
duties assigned him by the said decree, It is therefore ordered,  
adjudged, and decreed that Jefferson P. Cox be substituted in  
the room of the said Bailey, and he is required to perform  
the duties directed to be performed by said Bailey in con-  
-junction with George Lawson and James M. Venable, and  
the cause is continued

A copy -

Lebbe. Henry J. Morgan, Clerk.



James A. Larmer

vs. 3 Copy of Decree of Court

Alexander Hamilton et als.

Consented by delivering to  
Jefferson P. Cox an attested office  
copy of the within writ.  
Sept 17th 1868.

J. W. M. S. C.



Virginia Lee County to-wit:

Personally appeared Thomas Larnum Sr.  
before me Henry J. Morgan, clerk of the Court  
of said County, and made oath that John C. Ham-  
-ilton, Wilson Hamilton, and Andrew J. Hamilton  
defendants in a certain suit ~~respects~~ about to  
be instituted against them and others by James A.  
Larnum in the Court of said County,  
are not residents of this Commonwealth -  
Wherefore he prays for publication &c.

Given under my hand, the 25<sup>th</sup> day  
of October 1867.

Henry J. Morgan. *cl.*



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 18.64

James A. Sumner  
 vs. { Affidants  
 {  
John Hamilton & others



Virginia Lee County, to-wit:  
I, James A. Larmer, plaintiff in a certain suit,  
which I have instituted in the County Court of  
said County against Andrew Hamilton and others  
in the nature of a foreign attachment, do solemnly  
swear before Henry J. Morgan, clerk of said Court,  
that I am justly entitled to and ought to recover  
in the said suit, against the said Andrew Ham-  
-ilton <sup>at</sup> the least the sum of one hundred dollars  
with interest thereon from the 1st day of January 1861,  
subject to a credit of forty one dollars and twenty  
cents paid the 1st day of January 1861; that I have  
present cause of action therefor; that the defendant  
Andrew Hamilton is not a resident of this State; and  
that I believe he has estate or debts due him within  
the said County of Lee in which said suit is  
brought — wherefore I pray for process of foreign  
attachment &c. &c. This the 30th day of January 1868.

James A. Larmer

Sworn to and subscribed before me,  
Henry J. Morgan, clerk of said Court,  
the 30th day of January 1868, at my  
office ~~etc~~ <sup>near</sup> the Court house  
in said County.

Henry J. Morgan, clk.



James A. Larmer

vs  $\frac{1}{3}$  Affidavit.

Andrew Hamilton et al,



James A. Lormer plaintiff } In Chancery.  
v. Andrew Hamilton Defendant }

County Court in Chancery now sitting.

The undersigned a commissioner appointed by an order in this cause, begs leave to state:

That pursuant to said order he sold at the front door of the Court House of said County, the said lands, and Thomas J. Lormer being the highest bidder became the purchaser thereof for the sum of \$27.00 for which sum he with James A. Lormer his security entered into bond payable to your Commission for the said sum, payable six months after date with interest thereon from the day of sale. All of which is respectfully submitted.

Decr 21<sup>st</sup> 1868.

D. Wagoner Comr.

Decr 21<sup>st</sup> 1868



vs. A. Lamm

vs. { Report of  
1 Com. P. Hogan

And Humitt

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Report filed

250  
150  
50  
100  

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550

13.41  
5.00  
5.58  
5.00  
Dr. 5.00  

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38.91



Oct 24<sup>th</sup> 1868

Pursuant to an order of the county court of Lee county, We the undersigned Commissioners do this day proceed to lay off and assign to Andrew Hamilton, his (one tenth) part, of a certain tract of land, on the South side of Wallens Ridge, In consideration of quantity quality and Value, we do assign to the said Andrew the following boundary, to wit.. Beginning on a Hickory on the East side of a branch on Gergason & Larmer's line thence N 29° W 13 poles to a Stake in said branch about one pole below the head of a Spring. thence S 65° W 3 poles to a Stake, thence N 29° W 1 pole to 2 small Hickorys, thence S 50° W 113 poles to a chestnut dogwood & oak, thence S 25° E 17 poles to a double-Chestnut on T. J. Larmer's line, thence with said line, N 50° E 118 poles to the beginning,, Supposed to contain 10 A 1 R and 12 Poles.,

J. P. Cox  
Attest  
James H. Stomper

37  
5  
135



La: A Lamer  
w } Bic-ch  
Andrew Hamilton et al



This Deed made the 20th. day of February in the year of our  
Lords one thousand eight hundred and fifty-six between James  
P. Hamilton of the first part, and Jane Hamilton, wife of Alexander  
Hamilton, all of Lee County, and State of Virginia Witnesseth, That  
in consideration of the sum of one dollar to him in hand paid, the  
receipt of which is hereby acknowledged, and in further consid-  
eration of the love and affection the said James bears toward the  
said Jane Hamilton, who is his mother, the said James P. Hamilton  
doth grant unto the said Jane Hamilton for and during her  
natural life, and after her death, to her heirs, a certain tract  
or parcel of land, lying and being in the County of Lee aforesaid  
on the waters of Wallen's Creek, and on the South Side of Wallen's  
Ridge, and bounded as follows: - Beginning on a Hornbeam;  
thence N 50° E. 166 poles to a beech, poplar, and hickory; thence  
N 29° W. 14 poles to the head of a spring; thence N 69° E. 10 poles to a  
white oak; thence N 30° W. 27 poles to a Dogwood; thence N 68° W. 22  
poles to a white oak; thence N 30° W. 128 poles to a stake; thence  
W. 87 poles to a black oak and Sour-woods; thence S 86 poles  
to a white oak and dogwood Rollin's Corner; thence N 68 E. 31  
poles to a white oak; thence S 15° E. 112 poles to two poplars; thence  
S 65° W. 24 poles to a white oak; and thence S 21 E. 67 poles to the  
Beginning, with all the appurtenances thereto belonging, sup-  
posed to contain about one hundred acres, but hereby con-  
veyed by the aforesaid boundaries, and not fixing any  
exact quantity, To have and to hold the said tract or par-  
cel of land, with its appurtenances to the said Jane Hamilton  
for and during her natural life, and at her death to go and  
descend to her heirs forever; the intent of this deed being to  
convey the premises to the said Jane Hamilton for her life  
with remainder to her heirs. And the said James P. Hamilton



covenants that he will warrant generally the land hereby conveyed. Witness the following signature and seal.

James P. Hamilton (Seal)

Jersey County Court, Clerk's Office, the 20th. day of February 1856. This Indenture of bargain and sale for land between James P. Hamilton of the one part, and Jane Hamilton of the other part, was acknowledged before me, and admitted to record, when the tax is paid.

J. W. S. Monson C. C.

A copy.

Lester - Henry J. Morgan, Clerk.

Exhibit (13.)

James P. Hamilton  
From 3 Cops. of deed  
James P. Hamilton.



Virginia

At Rules held in the Clerk's office of the County Court  
of Lee County on Monday the 4th day of November 1867.  
James A. Garner Plaintiff

against

John C. Hamilton James P. Hamilton Wilson Hamilton  
Andrew Hamilton Daniel Hamilton Walter P. Hamilton  
Fayette Hamilton Elizabeth Hamilton Sally Hamilton  
and Margaret Hamilton Defendants.

In Chancery on a foreign Attachment

The object of this Suit is to recover against the defendants  
Andrew Hamilton \$100.00 with legal interest thereon from the  
1st day of January 1861. Till paid and to Subject to the payment  
of the same. The undivided interest of the said Andrew Hamilton  
in the tract of land in the bill mentioned which has been attached  
for the purpose. And it appearing from evidence filed that  
the defendants John C. Hamilton Wilson Hamilton and the said  
Andrew Hamilton are non residents of this Commonwealth  
They are ordered to appear here within one month after  
due publication of this order to do what is necessary to protect  
their interest in this suit.

Teste— Henry J. Morgan C. C.

Virginia Lee County Court

Henry J. Morgan clerk of Lee County Court made  
Oath before me that on Monday the 18th day of November  
1867. that being court day, he posted at the door of the  
court house of said county a correct copy of the above order  
Given under my hand this day of

1867.

J. D.



James A. Sumner

vs  $\frac{2}{3}$  Order Pub.

John C. Hammett et al



Virginia.

At a Court of Quarter Sessions continued and held  
for Lee County, at the Court House thereof, on Thursday  
the 18th day of June 1868.

James A. Farmer

Plaintiff

against

Andrew Hamilton & als.

Defendants

In Chancery.

Leurr Bailey, George Lawson, and James M. Venable  
having been appointed Commissioners by a decree entered  
in this cause on the 18th day of March 1868 to lay off and  
assign to Andrew Hamilton one tenth part of the tract of  
land in the Bill mentioned, and they having failed as yet  
to execute the said decree and make report thereof, on the  
motion of the Plaintiff, it is ordered that the said Com-  
missioners be summoned to appear before this Court on the  
first day of the next term to shew cause, if any they can,  
why they have not executed the decree aforesaid, and  
the cause is continued.

A copy - Teste - H. J. Morgan Clerk.



Virginia,

At a Court of Quarter Sessions continued and held  
for Lee County, at the Court House thereof, on Thursday, the  
18th day of June 1868.

James A. Larimer

Plaintiff

against

Andrew Hamilton & als.

Defendants

In Chancery

Carr Bailey, George Lawson, and James M. Venable  
having been appointed Commissioners by a Decree entered in this  
cause on the 18th day of March 1868 to lay off and assign to  
Andrew Hamilton one tenth part of the tract of land in the  
Bill mentioned, and they having failed as yet to execute the said  
decree and make report thereof. On the motion of the Plaintiff it  
is ordered that the said Commissioners be summoned to appear  
before this Court on the first day of the next term to shew cause,  
if any they can, why they have not executed the decree afore-  
said, and the cause is continued.

A copy - Teste H. J. Morgan Clerk.



James A. Larmer  
vs. 3 copies of order of Court.  
of Andrew Hamilton & als.

---

Executed on Carr Bailey  
& James M. Venable by  
delivering to each one of them  
an attested office copy of  
the within writ

J. W. Orr, S. C. C.



Virginia,

At a Court of Quarter Sessions continued and  
held for Lee County, at the Court House thereof, on  
Thursday, the 18<sup>th</sup> day of June 1868.

James A. Larner ----- Plaintiff

against

Andrew Hamilton & al. ----- Defendants

In Chancery.

Carr Bailey, George Lawson, and James M. Venable having been  
appointed Commissioners by a decree entered in this cause on the  
18<sup>th</sup> day of March 1868 to lay off and assign to Andrew Hamilton  
one tenth part of the tract of ~~the~~ land in the Bill mentioned, and they  
having failed as yet to execute the said decree, and make report  
thereof. On the motion of the Plaintiff, it is ordered that the said Com-  
missioners be summoned to appear before this Court on the first day of  
the next term to shew cause, if any they can, why they have not  
executed the decree aforesaid, and the cause is continued.



A. copy -

Text - Henry J. Morgan Clerk.



The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

*John C. Hamilton James P. Hamilton  
Wilson Hamilton Andrew Hamilton Daniel Hamilton Walter P.  
Hamilton Fayeth Hamilton Elizabeth Hamilton Sally  
Hamilton and Margaret Hamilton*

*Justices of our county*  
to appear before the ~~Judge of our Circuit~~ Court for Lee county, at the Court House,  
in the Clerk's office, at Rules to be holden for the said Court, on the *first* Monday  
in *November* next, to answer a bill in Chancery exhibited in our said Court,  
against *them* by *James A. Larmer*

And have then there this writ. WITNESS, HENRY J. MORGAN, Clerk of our said  
Court, at the Court House, this *31st* day of *October* 1867, in the  
*92<sup>nd</sup>* year of the Commonwealth.

*Henry J. Morgan* Clerk.



By virtue of this summons and the order thereon endorsed,  
 I hereby attach the undivided interest that the defend-  
 ant, <sup>Andrew Hamilton</sup> has in and to a certain tract of land  
 lying in Lee County Virginia, on the waters of Waller's  
 Creek, and on the south side of Waller's Ridge, and  
 more particularly described by miles and bounds in  
 a deed of conveyance made by defendant James P. Ham-  
 ilton to his mother Jane Hamilton, and dated 20 February  
 1856, and recorded in Deed Book No 14, page 253 & 4.  
 This October 31st day, at 9 O'clock A.M. -  
 C. C. Bell Deputy  
 for James W. Orr, Sheriff of L. C.

James P. Hamilton

as appears in copy

John C. Hamilton

Nov. 20th 1867

Exhibited, in James P. Hamilton  
 and David Hamilton together  
 with to each of them an attested of-  
 ficial copy of the within writ.

Quarrelled on Elizabeth Hamilton  
 Sally Hamilton, or Margaret Ham-  
 iltan by delivering an attested  
 official copy of the within writ  
 to Alexander Hamilton their  
 father, they being present,  
 when dated 1867

James P. Hamilton, J. C.

App  
 7.

Day March Ch 63

Order affiant having been made the officer serving this summons  
 is ordered to attach the undivided interest of the defendant Andrew  
 Hamilton in the tract of land in the bill mentioned and  
 hold the same subject to the future order of the said court.  
 Henry Morgan, Esq.



# VIRGINIA:

WASHINGTON COUNTY, TO WIT:

I do hereby certify that the annexed Notice has been published  
*four weeks successively, ending Nov<sup>r</sup> 29<sup>th</sup> 1867,*  
in the "ABINGDON VIRGINIAN," a newspaper published in the  
town of Abingdon, Va. Given under my hand this *30<sup>th</sup>*  
day of *November*, 1867.

*Geo. O. Barr,*  
*Jr. Ed "Virginian"*

**VIRGINIA**—At Rules held in the Clerk's  
office of the County Court of Lee county,  
on Monday, the 4th day of November, 1867:

James A. Larmer,

Plaintiff,

AGAINST

John C. Hamilton, James P. Hamilton, Wil-  
son Hamilton, Andrew Hamilton, Daniel  
Hamilton, Walter P. Hamilton, Fayette  
Hamilton, Elizabeth Hamilton, Sally Ham-  
ilton, and Margaret Hamilton, Defendants.

*In Chancery on a Foreign Attachment.*

The object of this suit is to recover against  
the defendant Andrew Hamilton \$100.00, with  
legal interest thereon from the 1st day of Ja-  
nuary, 1861, till paid, and to subject to the  
payment of the same, the undivided interest  
of the said Andrew Hamilton, in the tract of  
land in the bill mentioned, which has been  
attached for the purpose: And it appearing  
from evidence filed that the defendants, John  
C. Hamilton, Wilson Hamilton, and the said  
Andrew Hamilton, are non-residents of this  
Commonwealth, they are ordered to appear  
here within one month after due publication  
of this order, to do what is necessary to pro-  
tect their interest in this suit.

Teste, HENRY J. MORGAN, c. c.

Nov. 8, 1867—4w



